

DOMESTIC PERSONAL PROPERTY RATE SOLICITATION D-9

CHAPTER II - REQUIREMENTS

ITEM 200.

RATE FILING PREREQUISITES

a. DOD Approval.

(1) Prior to participation in the interstate and/or intrastate programs, Transportation Service Providers must obtain DOD approval from SDDC. Transportation Service Providers desiring approval should contact the Transportation Service Provider Qualifications & Performance Team (**SDPP-PO**) of the Deputy Chief of Staff for Passenger & Personal Property, at (703) 428-3279 for approval requirements and instructions.

(2) A Transportation Service Provider not filing rates for three (3) consecutive rate cycles may have its approval withdrawn, thereby precluding participation in future rate cycles. To obtain approval, the Transportation Service Provider whose approval is withdrawn must reapply in accordance with the paragraph above.

b. Letters of Intent (LOIs). Transportation Service Providers approved by SDDC must submit an LOI, containing the information prescribed in SDDC Pamphlet 55-4, to each PPSO where participation in the domestic personal property program is desired. **A valid LOI must be filed with and accepted by the PPSO before rates can be filed with SDDC.** In addition, Transportation Service Providers must comply with the requirements listed below:

(1) ***Interstate Program.*** A Transportation Service Provider must have a valid LOI on file at each PPSO where rates are filed on or before the I/F or L/C deadline date. The LOI deadline date coincides with the I/F or L/C deadline dates provided on the rate filing schedule. LOIs must reflect authority for all states where rates are filed.

(2) ***Intrastate Program.*** A “lapse in service” Transportation Service Provider must have an accepted LOI (supported by a clear explanation of points and places to be served) on file prior to rate submission. A “newly approved” Transportation Service Provider must submit an LOI to the PPSO where participation is desired prior to rate submission. Rates must be filed at least 60 days prior to the end of the filing cycle.

(3) ***Verification.*** An LOI verification may be performed on all rates filed in the I/F. It is the Transportation Service Provider’s responsibility to immediately contact the reporting PPSO if there is an LOI discrepancy or rates are rejected due to a report of an invalid LOI.

(4) The practice of filing rates without valid LOIs is viewed as a violation of its obligation to participate in domestic traffic. Transportation Service Providers found in violation may be placed in local nonuse under the provision of SDDCR 15-1. Further, repetitive occurrences could result in nationwide nonuse or disqualification under the same regulation.

ITEM 201.

LEGAL REQUIREMENTS

a. Operating Authority. In submitting individual rate records/tenders in response to this rate solicitation, the Transportation Service Provider represents to the Government that service shall be performed in accordance with the rules and regulations of this rate solicitation and the Tender of Service (DTR, Part IV, Appendix AZ, as amended or

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superceded) filed with SDDC. The Transportation Service Provider also acknowledges possession of the required operating authority to transport household goods from, to, or between the places set forth in the Transportation Service Provider's individual rate records/tenders.

b. Certification. The Transportation Service Provider certifies that it is authorized to and does hereby offer to the DOD and USCG, hereafter referred to as "Government," the transportation services described in this rate solicitation. All property shipped subject to this rate solicitation and individual rate records/tenders must be shipped by or for the Government on BLs.

c. Certificate of Independent Pricing. By offering rates for services to the United States Government, the undersigned Transportation Service Provider official certifies the understanding and continued compliance with the previously executed Certification of Independent Pricing, which is incorporated hereto by reference. The executed Certification of Independent Pricing is on file in the Transportation Service Provider's qualification file as an attachment to the Transportation Service Provider's Tender of Service.

d. Termination. Individual rate records/tenders submitted in response to this rate solicitation may be cancelled in accordance with applicable rate schedule. Shipments that are offered and accepted by the Transportation Service Provider prior to the cancellation, and picked up after the effective date of the cancellation, will move under the Transportation Service Provider's cancelled rate as stated on BL. Cancellation may be accomplished upon shorter notice by mutual agreement of the parties concerned.

e. Rate Not Filed. When a Transportation Service Provider accepts a shipment over a traffic channel where the Transportation Service Provider did not file a rate, the Transportation Service Provider will move the shipment at the lowest prevailing rate for that channel. Transportation Service Provider will file an OTO tender to cover shipments moved under these conditions.

f. Common Financial or Administrative Control. The Transportation Service Provider shall so indicate whether or not they are under the financial or administrative control of any other household goods Transportation Service Provider or forwarder. The Transportation Service Provider shall attach to their Tender of Service Signature Sheet, a list of household goods Transportation Service Provider(s) or forwarder(s) which are under their financial or administrative control.

g. Payment of Debt. Should SDDC be advised that a Transportation Service Provider filing rates under the terms of this solicitation has failed to comply with the terms of an arrangement entered into between the Transportation Service Provider and an agency of the Federal Government pursuant to the Federal Claims Collection Act of 1966 relating to transportation services, SDDC may place this Transportation Service Provider in nonuse or disqualification status until such time the Transportation Service Provider is in compliance with the arrangement.

h. Assignment of Bills. Except for assignment of payment of the Transportation Service Provider's original bills to a bank, factor, or other financial institution for collection, the Transportation Service Provider will not subjugate its rights and/or interest in the bills for service rates and charges on which such charges are based, or any subsequent claims thereon to third parties, unless the subrogation is revocable and under the Transportation Service Provider's control. The Transportation Service Provider shall always retain the right and authority either to claim or not to claim or to cancel claims on services to the military services which their company furnished and/or billed for, and they do not now have, nor will they enter into, agreements with parties not subject to their control which in any way infringe, controvert, or otherwise subordinate or prevent the TSP from deciding unilaterally whether it will, or will not, submit a claim or file suits against the Government or pay a claim by the Government after the original bill for services performed under this tender has been submitted. Failure to comply with the above certification will make the TSP ineligible to participate in the DOD Personal Property Shipment and Storage Program, and the sole determination in this matter will rest with DOD through SDDC.

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i. Payment. The Transportation Service Provider shall bill the Government on Standard Form 1113 (Public Voucher for Transportation Charges), appropriately supported, and shall submit said bill to the paying office shown on the BL. Payments for transportation under this tender shall be governed by the Prompt Payment Act, 31 U.S.C. 3901. The U.S. Government shall pay the Transportation Service Provider applicable tender rates and charges due for transportation services rendered 30 days after receipt of the Transportation Service Provider's proper transportation bill (invoice) in accordance with such Act. (For Electronic Data Interchange (EDI) procedures, refer to the billing instructions of the appropriate finance center responsible for payment of the BL.)

j. Claims for Additional Charges. Claims for additional transportation or additional accessorial charges over and above those originally assessed by the Transportation Service Provider and paid for by the Government shall be presented first to the disbursing office of the military service agency which paid the original bill. The claims shall contain a full explanation as to the reasons why they are being presented and state specifically the amount claimed. Disputes arising out of such undercharge claims or overcharge claims by the Government against the Transportation Service Provider, not otherwise settled to the satisfaction of either party, shall be made the subject of correspondence directly between the Transportation Service Provider and General Services Administration (GSA), or shall be the subject of a discussion between the parties stated above within 60 days after either party makes such a request. The failure of the parties to reach an agreement or eliminate the dispute under the procedure shall in no way preclude either party from subsequently exercising the legal and administrative remedies otherwise available, providing that no suit filed by the Transportation Service Provider shall be prosecuted to trial before exhaustion of the administrative remedies described above.

ITEM 202.

ADMINISTRATIVE REQUIREMENTS

a. Toll-Free Telephone Number (FOR SERVICE MEMBER USE ONLY). Transportation Service Provider agrees to provide a toll-free telephone number for customer inquiries and problem resolution during any phase of the move. The number shall be operational 24 hours a day, seven (7) days a week; however, as a minimum, it must be manned during normal business hours for the area in which the number is established. A type of recorder, beeper, answering service, Internet e-mail capability, or other electronic device may be used for hours other than specified. Knowledgeable personnel representing the Transportation Service Provider must acknowledge and respond to the customer's concerns within 24 hours from the customer's initial call if received Monday through Friday and by the close of the following workday for calls/inquiries received by the Transportation Service Provider on Saturdays, Sundays, or legal (officially declared national) holidays. The Transportation Service Provider is required to provide the toll-free number to the customer by the shipment pickup date. The Transportation Service Provider may furnish this information to the member directly or through their local agent. This provision is an independent requirement; however, any costs associated with this requirement shall be included as part of the Transportation Service Provider's proposed rates. As an independent requirement, this provision shall not be construed in any way to be inclusive of any other provision of this solicitation.